

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-8, 10, 12-27, and 29 are presently active in this case. Claims 9 and 28 are canceled without prejudice or disclaimer and Claims 1, 12, and 21 are amended by the present amendment. As amended Claims 1, 12, and, 21 are supported by the original claims, no new matter is added.

In the outstanding Office Action, Claims 1-10 and 12-29 were rejected under 35 U.S.C. §103(a) as unpatentable over McDowell et al. (U.S. Patent No. 4,463,605, hereinafter “McDowell”) in view of Pages (U.S. Patent No. 5,774,818).

The outstanding rejection is respectfully traversed.

Claim 1 recites in part:

- a navigation computer comprising:
 - a first input configured to receive guidance instructions including heading, vertical speed, and altitude,
 - a second input configured to receive guidance parameters, and
 - an output configured to output automatic pilot instructions computed by said navigation computer from said guidance instructions;
- a flight control computer comprising:
 - a first input configured to receive control instructions,
 - a second input configured to receive said automatic pilot instructions, and
 - a command generator configured to generate a first plurality of operating commands based on said automatic pilot instructions in an automatic pilot mode; and
- a dedicated communication link configured to transmit the automatic pilot instructions from the navigation computer to the flight control computer,
- wherein said automatic pilot instructions and said control instructions correspond to a commanded roll rate.

The outstanding Office Action cited autopilot 14 of McDowell as “a navigation computer” and CSEU 16 of McDowell as “a flight control computer.” Link 52 of McDowell was cited as “a dedicated communication link configured to transmit the automatic pilot instructions from the navigation computer to the flight control computer.” However, the autopilot 14 **does not** transmit “a commanded roll rate” over link 52 of McDowell. Instead, autopilot 14 sends command signals to the secondary surfaces 42 over link 52 of McDowell, ***such as a commanded angle for the surface to move to.***¹ Thus, link 52 of McDowell is not “a dedicated communication link configured to transmit the automatic pilot instructions from the navigation computer to the flight control computer” as link 52 does not transmit “a commanded roll rate.”

With regard to original Claim 9, the outstanding Office Action generally stated “corresponding the automatic pilot instructions with the control instructions concerning the vertical load factor, roll rate and commanded yaw would have been well known for system that allows for control from both manual input and automatic pilot instructions.” However, contrary to well settled case law, neither McDowell nor Pages are cited as describing any of these features. For example, *In re Royka* holds that to establish *prima facie* obviousness of a claimed invention, ***all the claim limitations must be taught or suggested by the prior art.*** *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). (Emphasis added). See also MPEP §2143.03. As “a dedicated communication link configured to transmit the automatic pilot instructions from the navigation computer to the flight control computer, wherein said automatic pilot instructions and said control instructions correspond to a commanded roll rate” is not taught or suggested by either McDowell or Pages, a *prima facie* case of

¹See McDowell, column 6, lines 39-48.

obviousness has not been made with respect to Claim 1. Consequently, Claim 1 (and Claims 2-8 and 10 dependent therefrom) is patentable over McDowell in view of Pages.

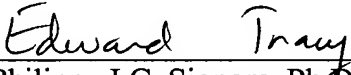
Claims 12 and 21 recite similar elements to Claim 1. Accordingly, Claims 12 and 21 (and Claims 13-20, 22-27, and 29 dependent therefrom) are patentable over McDowell in view of Pages for at least the reasons described above with respect to Claim 1.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-8, 10, 12-27, and 29 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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